U.S. COUNTERTERRORISM POLICY

Y 4. F 76/1: C 83/4

U.S. Counterterrorism Policy, 103-2...

HEARING

BEFORE THE

SUBCOMMITTEE ON
INTERNATIONAL SECURITY, INTERNATIONAL
ORGANIZATIONS AND HUMAN RIGHTS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

MARCH 1, 1994

Printed for the use of the Committee on Foreign Affairs

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U.S. COUNTERTERRORISM POLICY

TUESDAY, MARCH 1, 1994

HOUSE OF REPRESENTATIVES,
6COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL SECURITY,
INTERNATIONAL ORGANIZATIONS AND HUMAN RIGHTS,
Washington, DC.

The subcommittee met, pursuant to call, at 2:05 p.m. in room 2255, Rayburn House Office Building, Hon. Tom Lantos (chairman of the subcommittee) presiding.

Mr. LANTOS. The Subcommittee on International Security, International Organizations, and Human Rights will come to order.

The timing of this hearing on U.S. counterterrorism policy is indeed auspicious. It marks the first anniversary of the World Trade Center bombing, an event that jolted the Nation to awareness of the serious terrorist threat we face here at home. The World Trade Center bombing was, more than anything else, a wake-up call. I am hopeful that this hearing will be used by the administration to enunciate clearly the steps it has taken to prevent such an attack in the future.

In addition, the timing of this hearing is significant since it comes in the wake of the outrageous and insane attacks by various terrorists in the Middle East. I am of course referring to the sickening massacre of dozens of innocent civilians in the mosque of Hebron, followed by the deplorable bombing of a Catholic church in Jounieh, Lebanon.

This bloodshed is only the latest and most spectacular example of ongoing violence that has claimed the lives of 31 Israeli civilians, including a pregnant woman, since the signing of the Israeli-Palestinian agreement last September.

I am extremely concerned that the handful of extremists who perpetrate these abominable acts not be permitted to dictate government policy with respect to seeking a just and durable peace in the region. Accordingly, I have called upon all participants in the peace process to accept President Clinton's invitation to resume negotiations immediately and with renewed determination.

As a footnote, I find it particularly nauseating to see some individuals who have been leading organizations and countries that have engaged in terrorism for decades now assuming the mantle of Mother Teresa in dealing with this latest terrorist act. It ill behooves people who have perpetrated terrorist acts and led terrorist organizations to inflame public sentiment concerning the attempt to proceed with peace negotiations in the Middle East.

This most recent incident graphically illustrates that the world continues to be a highly volatile and extremely dangerous place. The strongest efforts against international terrorism must continue unabated. Of particular importance is the continued isolation of those rogue regimes such as Iran, Iraq, and Libya, that view terrorism as just another tool of their foreign policy. Particularly egregious is the continued disregard by the Libyan Government of U.N. Security Council resolutions adopted in the wake of the bombing of Pan Am 103.

I must say I find it increasingly embarrassing to deal with that issue. It has now been 5 years and the great powers of the West apparently are impotent in dealing with Libya and in bringing to justice the perpetrators of this outrage. I look forward to probing with Secretary Wirth the administration's hopefully new posture on this matter.

I realize that this is an inherited item. For 4 years, the previous administration succeeded in getting nothing done and for the past year, this administration has succeeded in getting nothing done. I believe that just as NATO's credibility was profoundly undermined in the 22 months of the Bosnian War, until a couple of weeks ago, so may I say that the whole antiterrorism posture of this country, the United Kingdom and France, is in great danger of being undermined and discredited by the continuance of diplomatic statements but no action vis-a-vis Libya.

It is an incomprehensible thing, not only to the families of the victims of the Pan Am 103 outrage, but to average Americans who follow this issue. This bombing took place 5 years ago and Libya has yet to produce the two people who are assured of perpetrating it.

We had hearing after hearing under the Bush administration and now this administration and we are not getting one step closer to a solution.

The bombing of the World Trade Center should serve as a wake-up call, not only with respect to similar attacks, but also regarding terrorism of a potentially much more catastrophic nature. I am, of course, thinking of nuclear terrorism. I shudder to think where we would be today if the truck that drove into the basement of the World Trade Center had carried not a load of plastic explosives, but rather a crude nuclear device.

This may seem farfetched to some, but two recent studies commissioned by the U.S. Government indicate that it is, in fact, quite plausible. These studies, one conducted by Rand and the other by the National Academy of Sciences, throw into question the ability to safeguard and secure the massive amount of excess plutonium that is derived from dismantled nuclear weapons and civilian reprocessing of spent nuclear fuel.

Obtaining fissile material, such as plutonium, poses the greatest obstacle to a terrorist group constructing a nuclear bomb. The subcommittee will be addressing the vital issue of limiting the spread of fissile material at a hearing later this month.

I am delighted to welcome my old friend, a former Senator and now Counselor to the State Department, Tim Wirth. We are grateful for your appearance today, as well as your associate's.

I would note that this is the fifth in a series of hearings on this most important topic and I hope it will lay the foundation for other hearings that the subcommittee plans to hold in the coming months.

Before turning to our distinguished witnesses, let me express my deep appreciation to the bipartisan staff of the subcommittee and the full committee that worked on this hearing, Beth Ford, Ted Hirsch, Andrea Nelson, Mike Ennis, Jo Weber, and our intern, Jon Peterson.

Secretary Wirth, your prepared statement will be entered in the record in its entirety. You may proceed any way you choose.

STATEMENT OF HONORABLE TIMOTHY E. WIRTH, COUNSELOR, DEPARTMENT OF STATE

Mr. WIRTH. Well, Mr. Chairman, thank you very much for the opportunity to testify today as part of your review of the terrorism situation a year after the February 1993 World Trade Center bombing in New York.

It was indeed, as you pointed out in your opening statement, a wake-up call, and that event plus the series of hearings that you have held have been very helpful to us in orchestrating and directing and better coordinating and strengthening our overall efforts.

I am pleased to be joined at the witness table, Mr. Chairman, by Ms. Barbara Bodine, a career Foreign Service officer, who, as you know, heads the Office of Counterterrorism in the State Department——

Mr. LANTOS. Very pleased to have you.

Mr. WIRTH [continuing]. And has done a superb job on behalf of all Americans.

The World Trade Center attack, Mr. Chairman, brought home the threat that international terrorism poses to American citizens and interests. It also reminds us that terrorism insidiously undermines America's goals for the expansion of democracy, free and open trade, and sustainable development. These are vital interests in a world already being relieved of the burdens of totalitarianism and State-run economies.

Unhappily, even these positive changes can bring devastating dislocations. They, in turn, bring frustration and resentment in many cases. Civil and ethnic conflicts in the former Yugoslavia are dramatic examples. Our goal, and that of our friends and allies, is to shorten this period of turmoil.

For terrorists, however, these dislocations are a Godsend. Poor and frustrated people are more easily seduced by radical ideologies. Fledgling democracies are more vulnerable to manipulation.

These dislocations give terrorists opportunities to achieve their goals, to overthrow governments, both domestic and otherwise, and to destabilize economies. In Egypt, for example, tourism is a profitable target. Terrorist attacks magnified by instant international media coverage are undermining a major source of Egypt's foreign exchange. The PKK has now expanded its target list in Turkey to tourist facilities. The Provisional IRA regularly sets off bombs that bring the city of London to a standstill. In Algeria, terrorists have added a gruesome new dimension, slitting the throats of innocent foreigners in order to drive away foreign investment.

The World Trade Center attack brought these tactics to our shores. The threat to American freedom to travel or to work abroad is even greater. It is a threat to our economy as well as to the security of our citizens and is high on the list of national security priorities of this administration and any government whose job it is to protect its citizens.

In short, terrorism remains a threat and, in some areas, poses a brand-new threat to the United States and the world community. Congress should know that the Clinton administration will fight terrorism on every front, both at home and abroad.

During the past year, as in the past two decades, we focused our efforts on the role of State sponsorship of terrorism.

Perhaps the most encouraging consequence of the Iron Curtain's collapse has been the loss of assistance to terrorist organizations from countries of the former Warsaw Pact. International terrorism would not have flourished as it did during the past 20 years if it had not been for the funding, training, safehaven, and logistical support provided to terrorists by sovereign States. For this reason, working closely with our allies, we seek to increase the pressure on States which continue to support or sponsor terrorism, and to make them pay the cost if they persist. Our principal tool for doing so remains the State sponsor of terrorism list. We recently completed a review of that list and decided to maintain it as revised when we added Sudan last summer.

Mr. LANTOS. May I stop you for a moment, Mr. Secretary?

Mr. WIRTH. Please.

Mr. LANTOS. I am pleased that you made no changes in the list. When will the next review take place?

Mr. WIRTH. We have just completed that review, and that review was completed in August. That list went forward with Sudan added to the old list. The next review will be next summer.

STATEMENT OF BARBARA BODINE, ACTING COORDINATOR FOR COUNTERTERRORISM

Ms. BODINE. No, next December.

Mr. WIRTH. Next December.

Ms. BODINE. Although, a state can be put on at any time if there is evidence to warrant it.

Mr. LANTOS. May I ask a question Ms. Bodine?

What you and Counselor Wirth are testifying to is that between now and next December none of the countries currently on the list may be removed, but additional countries may be added to the list. Is that correct?

Ms. BODINE. Essentially, yes.

Mr. LANTOS. Would you pull the mike——

Ms. BODINE. Because the process for getting a State off the list is much more statutorily defined and very difficult, I don't expect there will be any States coming off in the next year in any event. We review the list every year because of the Export Administration Act, so that is the minimum review, not the maximum review.

Were something to happen and a State deserved to go on, we can put them on at any time. I don't foresee that you would have the same kind of dramatic event that would therefore pull a State off the list, unless you were to have a change of government.

Mr. LANTOS. Very good. So what this really means is that the current list of countries will persist, at least through calendar 1994, with possible additions but no deletions?

Mr. WIRTH. And that current list, as you know, Mr. Chairman, is Iran, Iraq, Libya, Syria, Cuba, North Korea, and now the Sudan.

Mr. LANTOS. Thank you very much. Please proceed.

Mr. WIRTH. Briefly, Iran remains the most dangerous—by the way, Mr. Chairman, I misintroduced. I had lunch with a good environmentalist and I said Barbara Brandel. This is Barbara Bodine, I apologize.

Mr. LANTOS. We know Ms. Bodine. We noticed your error, but as a gesture of graciousness did not call your attention to it.

Mr. WIRTH. Thank you very much. I appreciate as ever your grace and understand my own errors, which are many, Mr. Chairman.

Briefly, Iran remains the most dangerous sponsor and the greatest source of concern. A number of murders in Germany, Turkey, Switzerland and Italy can be laid at its door. Iran's surrogate, Hizballah, was responsible for the bombing of the Israeli Embassy in Buenos Aires in early 1992. Iran opposes the Middle East peace process and it arms and funds rejectionist groups who espouse violence. A few months ago the President met with Salman Rushdie, whose murder the Iranian Government still advocates.

We conduct an active dialogue with our principal allies, seeking to raise the cost to Tehran of its support for terrorism and to ensure that Iran hears the same message from all of us. A long-term objective is to harmonize export policies to Iran. A great deal more work needs to be done. We are concerned at Germany's invitation to Iran's Minister of Intelligence for bilateral talks and over France's release of two Iranians sought for murder in Switzerland.

Mr. LANTOS. May I stop you here for a moment? We have had over several years growing disagreement with Germany concerning a united policy towards Iran. As I understand it, Iran's current external debt is about $30 billion, and the Germans are conducting negotiations with them to refinance the German portion of that debt. What is our policy with respect to that issue?

Mr. WIRTH. Well, Germany, of course, as you know, is a sovereign State and can make its own decisions. The United States has attempted with the German Government, as we have with others, to discourage them from this kind of economic activity. And that is what our Ambassador there has done and we continue to do what we can do.

Mr. LANTOS. How successful have we been, Mr. Secretary?

Mr. WIRTH. Well, I wish I could say, Mr. Chairman, that we have been more successful than we have been. Unfortunately, there continue to be economic imperatives that are observed by other countries which we do not observe in the United States of America. There are significant losses——

Mr. LANTOS. By economic imperatives, you mean greed. That is the English word for economic imperatives. It is difficult to argue that Germany's survival depends on dealings with Iran, is it not?

Mr. WIRTH. Well, there are a number of instances that we in the United States would like to see members of the Western alliance, particularly some of the G–7 countries who are in a very good eco-

nomic situation, we would like to see them be much more aggressive on these issues, Mr. Chairman, there is no question about it. And often it is a feeling of being a Lone Ranger, particularly when American business interests come in as they do into the State Department, into the administration. I am sure they come in to see you. They say if we don't do *x*, you know, *y* country is going to take advantage of that economic situation.

Mr. LANTOS. That is one option. The other option is for the G–7, among others, to have a united front.

Mr. WIRTH. That is true, Mr. Chairman, and that takes getting all of the votes as we do—you know, in the United Nations, you have to have enough votes to make that kind of a stand. And many, many countries, particularly with these bad economic times, are making decisions on the basis of economics and not making decisions on the basis of the kind of principle and the kind of concern on terrorism that you and I and this administration share. It is enormously frustrating. I wish that there were ways in which we could say you must do *x*, *y* and *z*, but we can't do that.

Mr. LANTOS. I fully understand we cannot interfere in the decisions of sovereign countries. But we have found both here at home and abroad that exposing noncooperation along these lines is often a very useful device. And I wonder whether this administration has been as diligent as in my judgment it should be in exposing noncooperation along these lines. For instance, did this issue come up on the agenda between the President and the Japanese Prime Minister during his last visit here?

Ms. BODINE. I think it was—it was, I think, among the——

Mr. LANTOS. I am sorry, I can't hear you.

Mr. WIRTH. I can't speak to the fact that that was a matter that was discussed. It was on the agenda for that meeting and I have not seen a transcript of that, Mr. Chairman. There were a whole variety of issues on the discussion agenda for the President's meeting with Prime Minister Hosokawa, but I cannot tell you for sure that that one was brought up. Let me check that for the record.

Mr. LANTOS. Can you get back in writing within a reasonable time——

Mr. WIRTH. I will do that.

Mr. LANTOS [continuing]. Whether in fact the President discussed that issue? And if so, what the Japanese response was.

[The information follows:]

Question. Did the President discuss counterterrorism issues with Japanese Prime Minister Hosokawa when he was here in February? If so, what was the response?

Answer. Although the President and Prime Minister Hosokawa did not discuss the specific issue of terrorism in their February meeting, the United States and Japan cooperate closely on counterterrorism issues and maintain an active dialogue on a wide range of terrorism concerns.

Secretary Christopher, Ambassador Mondale, and other senior officials have been particularly active recently in discussing Iran's involvement in terrorism, efforts to acquire weapons of mass destruction, and actions to derail the Middle East peace process.

The United States and Japan are also actively engaged in the areas of counternarcotics, human rights, and environmental protection matters.

Mr. LANTOS. It is getting very tiresome. Some of us have been through this, as I know you have in a different role, during the equipment of Iraq with the chemical, biological and nuclear capa-

bilities, when we complained about our friends and allies from Japan to Germany not cooperating with us, and we had the Gulf War as a result. Now we are going through the same pattern of noncooperation on the part of our friends and allies, and silence by us. And I view that silence as complicity. I do not think that the average American has heard from this administration in any clear and unmistakable terms what our efforts has been to persuade our friends and allies to cooperate with us in this field. And without that, the American citizen has no knowledge of whether Germany or Japan or France or anybody else is cooperating or not.

Mr. WIRTH. Your earlier question, Mr. Chairman, related to public discussion of these issues. I am familiar in Germany with the fact that a number of private groups have been very active in attempting to demonstrate to the German press, you know, what some of the activities of the various aspects of the German economy have done. And I think that that, you know, goes to the point of what you were suggesting, this kind of public exposure and public accountability is very important.

Mr. LANTOS. Well, may I just add, to conclude this particular point, that Chancellor Kohl was here not long ago and I would be grateful if, when you get back to the subcommittee in writing, you would indicate whether the President discussed this matter with Chancellor Kohl, and if so, what the upshot of that discussion was.

Mr. WIRTH. I shall do that.

Mr. LANTOS. I appreciate that very much.

[The information follows:]

Question. Where counterterrorism issues including Germany's relationship with Iran and efforts to help refinance Iran's debt discussed by the President and Chancellor Kohl during their recent meeting? If so, what was the upshot of the discussions?

Answer. Iran and counterterrorism issues were not discussed at the President's meeting with German Chancellor Kohl January 31. The President has raised our concerns about German policy toward Iran with the Chancellor in the past, however. Moreover, Secretary Christopher, Ambassador Holbrooke and other senior officials have had extensive discussions with German officials on these topics on several occasions. the subject remains an important part of our bilateral dialogue.

The United States and Germany share common objectives in our policies toward Iran. We both deeply object to Iran's support for terrorism, efforts to acquire weapons of mass destruction, efforts to block the Middle East peace process through violence, and its dismal human rights record. The United States continues to oppose any rescheduling of Iranian debt.

Mr. WIRTH. Let me, if I might, add a word to the Japanese in our relationship with the Japanese. It has been discussed most in the press over the last 6 months in trade terms. While that is going on, this administration is making a very concerted and I think very successful effort at engaging the Japanese, a world economic power, as a world leader as well. And the Japanese are responding in a series of fashions in a—quite a remarkable sense of, set of cooperative agreements, on issues that they have not been engaged with in the past, in population, on AIDS, on oceans issues, on environmental and preservation issues, on global information exchange issues.

There are a whole series of new activities in which the United States and Japan have forged a new partnership. This is a continuing set of relationships and it has been our hope that in the next

round of these that a different—a new set of issues would also be added to that.

Narcotics is one that is very important; the issue of terrorism is a second. There are a number of them that—in which we believe that stronger cooperation between these two very significant economic powers, the United States and Japan, can help to influence activities around the world, just as you suggest.

Mr. LANTOS. Well, you know, we applaud Japan and anybody else when they cooperate with us on matters of common concern. But this is really not like a Chinese dinner where you pick three out of seven. These are all important issues. For the Japanese to cooperate on aid matters or population matters is very good and desirable and praiseworthy, but if there is no cooperation, say, in preventing the sale of dangerous technology to rogue regimes, as is palpably the case with several of the countries we mentioned, this needs to be pointed out. Clearly while we cannot control what they do, we can control what we say. And what we say has an impact on what they do. And if the only criticism comes from the Congress, I don't think we are nearly as effective as if the criticism comes from both the executive branch and from Members of Congress.

Mr. WIRTH. I think that is very constructive, Mr. Chairman, and I think that together I would suspect that our new capabilities in counterterrorism working closely with you can have a big impact. I think that is a very good idea.

Mr. Chairman, last year we added Sudan to the terrorism list because it knowingly gives safehaven to a number of international terrorist groups, including the notorious Abu Nidal organization. Although we have no conclusive evidence that Sudan has itself participated in or sponsored terrorist actions, we believe that Sudan-based organizations have perpetrated acts of terrorism in Egypt, Tunisia and Algeria.

International sanctions have hampered but not eliminated Iraq's ability to conduct international terrorism. An Iraqi scientist was murdered in Amman and Iraqi agents have sabotaged trucks carrying relief supplies to the Kurdish area of northern Iraq, killing innocent workers.

Despite new international sanctions, Libya has not complied with U.S. Security Council demands that it surrender the suspects in the bombing of Pan Am flight 103 and cooperate with the French in investigating the bombing of UTA flight 772. The past year has seen continued maneuvering by Libya to avoid compliance, but our message is constant. There is no compromise on the issue of justice.

In December, at Arlington Cemetery, the President dedicated a memorial to the victims of the bombing as a symbol of our determination to see justice done. We also have reason to suspect a Libyan hand in the disappearance of dissident Mansur Kikhiya in Cairo last December.

Syria continues to support groups which carry out terrorist attacks against its neighbors, Israel and Turkey. President Clinton raised the subject of terrorism with President Assad at their January meeting in Geneva. We will continue to press Damascus for satisfaction on this issue.

Cuba and North Korea have not been tied directly to acts of international terrorism for some time. In Cuba's case, that appears to be more a factor of its disastrous economic situation and loss of Soviet support. Nevertheless, Castro has never disavowed his ideological defense of terrorism as a legitimate political tool. Although our current bilateral problems with North Korea are dominated by its efforts to develop nuclear weapons, Pyongyang has demonstrated both a capability and willingness to engage in large scale terrorism wherever it chooses.

Moving away from the terrorism list, Mr. Chairman, to future trends, the World Trade Center bombing highlighted a new development that can complicate the fight against terrorism. The attack, in which as we all know 6 Americans died and more than 1,000 were wounded, was carried out by a small group of individuals with limited technical skills and without apparent connections to a foreign State or organized terrorist group.

Another recent development is the appearance of Afghan Mujahedin fighting in a number of unrelated conflicts. The Mujahedin are a potential body of recruits for groups advocating a violent, radical agenda.

We continue to monitor closely any terrorist spillover from the wars in Bosnia or the former Soviet Union as well as the ongoing terror in Northern Ireland and South Africa.

I would like to highlight the point that we do not, I repeat, do not regard resurgent Islam as the next ism confronting the West or world peace. The administration believes that such thinking is dangerously wrong and rejects the drawing of lines of confrontation between the West and the Islamic world. Our concern is with the religious extremists who resort to violence no differently than the secular terrorists of the last two decades.

The horrible attack in Hebron on February 20 underscores the danger from religious extremists. As Secretary Christopher said Friday, we condemn in the strongest terms this abhorrent act of terrorism. The parties to the peace process must not permit this violent act, or the violent response to it, to deter them from the path of peace.

Just as Friday's massacre in a Hebron mosque was aimed at the peace process, the recent church bombing in Lebanon seems clearly aimed at Lebanon's reconciliation process. The extremists have a common purpose, to promote division, strife, and war. They must not and will not be allowed to succeed.

Mr. Chairman, we believe the basic U.S. policy of no concessions, pressure on State sponsors, and application of the rule of law is a sound one.

With regard to the last point, I want to emphasize that regardless of the political claims of terrorists, their actions are in violation of domestic and international law and should be treated as criminal by the world community.

Last July, we demonstrated the validity of this concept. The hijacker of an Egypt air flight to Malta, an attack which caused the death of 60 people including an American woman, now faces trial here in Washington. Muhammad Ali Rezaq was released from a Maltese prison before completing his jail term.

We tracked him through Africa and, in a textbook model of interagency and intergovernmental cooperation, secured his rendition to U.S. authorities.

Mr. Chairman, we appreciate the interest you and Congressman Bereuter showed in this issue and your resolution in support of the efforts to bring Rezaq to justice.

International cooperation has been excellent in vigorous enforcement of the new U.S. Security Council sanctions on Libya, achieved in concert with France and the U.K. But we will not rest until the actual perpetrators are turned over for trial in the United States or Scotland. The families and friends of those who died in this heinous attack deserve no less. U.S. Security Council Resolution 883 broke important new ground by freezing selected Libyan assets and banning the sale of many categories of oil industry equipment. However, if Libya continues to defy the United Nations, we will seek new sanctions.

Looking to the future, we seek new mechanisms to cooperate on terrorism with the European union and its law enforcement arm, Europol. As the Europeans develop their own information-sharing capabilities, we will participate in the exchange of information on terrorism, as well as organized crime and drug trafficking. We will cooperate in monitoring and preventing fund-raising efforts for terrorists, money laundering schemes, and the expansion of front companies. This complements the existing intensive program of bilateral exchanges on the terrorist threat with the major European nations.

While international cooperation is essential, the U.S. Government also takes unilateral steps to combat terrorism and protect its citizens. We have worked with other Federal agencies on a fully coordinated Presidential decision directive outlining the national program for combating terrorism. This PDD will build on 10 years' experience in fighting terrorism. All agencies have agreed and we hope that it will go to the President for final approval shortly.

The State Department authorization bill includes provisions for strengthening the role of the Office of the Coordinator for Counterterrorism. State's reorganization is a result of careful study and is designed to improve efficiency by combining offices. The Coordinator for Counterterrorism will be an assistant secretary under the reorganization in the direct chain of command, not an adjunct office with fewer resources. In addition, the coordinator will have a strong advocate in me, proposed in the reorganization to be the Under Secretary for Global Affairs. And I meet with the Secretary every morning.

In the Senate's version of the bill, which we support, the coordinator will be formally designated an assistant secretary answering directly through me to the Secretary. The Deputy Assistant Secretary for Counterterrorism will have the rank of Ambassador, enhancing the authority of both officials.

We appreciate the interest and efforts of many in the Congress on this front. I see we have been joined by Congressman Gilman, who I know has been especially concerned about these organizational issues.

We will continue to seek congressional support for important programs such as antiterrorism assistance training, and

counterterrorism research and development. I believe that the antiterrorism training offered to our friends who face a terrorist threat abroad has made a significant contribution to the decline of the lethality and number of terrorist incidents worldwide.

Training provided by the ATA program has revolutionized airport security arrangements. The quality of our training program is well recognized and in a high demand worldwide. We are asking for $15.2 million for the ATA program in fiscal year 1995, and I hope that we can count on the support of this committee for that program, which has literally trained thousands of civilian police forces in almost 100 countries, many of whom also protect Americans abroad.

I also believe that the Department's terrorism information rewards program, which can pay a reward of up to $2 million for information that helps in the fight against terrorism, has prevented terrorist attacks and has thus saved lives.

In 1993, in the wake of the World Trade Center bombing, we applied the program to fugitive suspects from domestic terrorist incidents who fled abroad and are considered likely to commit other acts of terrorism in the future against U.S. interests.

In addition, the State Department manages a national counterterrorism research and development program which is jointly funded by the Departments of State and Defense. Three million dollars is earmarked for international projects involving NATO and major non-NATO allies. Research funded through this program identified a chemical agent to help detect plastic explosives. This led, in turn, to Senate ratification in November of the Convention on the Marking of Plastic Explosives for the Purpose of Detection. This convention requires manufacturing nations to include in their plastic explosives a chemical agent that helps the detection of plastic explosives by machines or train dogs.

These are concerns—there are certain specific steps that Congress can take now to strengthen the counterterrorism program and we strongly hope that you will do so. One is passage this session of the implementing legislation for the plastic explosives convention which I just described. Two other important terrorism-related treaties also require passage of implementing legislation: The convention against attacks on civilian airports and the convention against civilian ships and offshore platforms. Working with your colleagues, the pertinent language of the 1991 crime bill conference bill version has improved in the revised crime bill passed by the Senate in November.

We strongly urge the House to pass these and the other important counterterrorism measures now in the crime bill. They include provisions to strengthen the protection for those who provide information under the terrorism rewards program and strengthened laws against providing material support for terrorist operations. If the crime bill does not pass this year because of disputes over other sections, we would urge you and your colleagues on the Judiciary Committee to consider breaking out these counterterrorism provisions into another separate bill. It has been 4 years since the Senate gave its advice and consent to the airport and maritime conventions. It is time to implement these treaties, along with the plastic explosives treaty.

In conclusion, Mr. Chairman, I can assure you that we remain alert to the changing dangers of international terrorism. The World Trade Center was indeed a wake-up call for us all and has helped to focus our attention as well. We will continue to maintain our vigilance and improve our capabilities wherever appropriate to ensure the safety of Americans and American interests throughout the world. We appreciate your support in this effort. I look forward to your questions.

May I also say, Mr. Chairman, that as I am now 1 year into this job, the interagency cooperation in the area of terrorism has been better than I have seen in any other area. This is a set of exercises that is rehearsed over and over again. It is a cooperative venture in which there is practically no interagency squabbling, and in which the agreements between agencies is really quite remarkable. And I would say that if there have been successes, this is one, over the years, in which the previous administration made significant contributions to this.

We are pleased to be able to build on those successes and that strong organization. We have learned from the World Trade Center and added on top of that some of the measures which I described. And I think, overall, that we have a very good capability and look forward to moving ahead into the coming year with you and other Members of the Congress.

Thank you very much, Mr. Chairman.

Mr. LANTOS. Thank you very much, Mr. Secretary.

[The prepared statement of Mr. Wirth follows:]

TESTIMONY BY
TIMOTHY E. WIRTH
COUNSELOR OF THE DEPARTMENT OF STATE
TO THE
HOUSE FOREIGN AFFAIRS COMMITTEE
SUBCOMMITTEE ON INTERNATIONAL SECURITY,
INTERNATIONAL ORGANIZATIONS, AND HUMAN RIGHTS

MARCH 1, 1994

MR. CHAIRMAN:

THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY AS PART OF YOUR REVIEW OF THE TERRORISM SITUATION A YEAR AFTER THE FEBRUARY 1993 WORLD TRADE CENTER BOMBING IN NEW YORK.

THAT ATTACK, MR. CHAIRMAN, BROUGHT HOME THE THREAT THAT INTERNATIONAL TERRORISM POSES TO AMERICAN CITIZENS AND INTERESTS. IT ALSO REMINDS US THAT TERRORISM INSIDIOUSLY UNDERMINES AMERICA'S GOALS FOR THE EXPANSION OF DEMOCRACY, FREE AND OPEN TRADE AND SUSTAINABLE DEVELOPMENT THROUGHOUT THE WORLD. THESE ARE VITAL INTERESTS IN A WORLD RELIEVED OF THE TWIN BURDENS OF TOTALITARIANISM AND STATE-RUN ECONOMIES.

UNHAPPILY, EVEN POSITIVE CHANGE CAN BRINGS DEVASTATING DISLOCATIONS. THEY, IN TURN, CAN BRING FRUSTRATION AND RESENTMENT. CIVIL AND ETHNIC CONFLICTS IN THE FORMER YUGOSLAVIA ARE DRAMATIC EXAMPLES. OUR GOAL, AND THAT OF OUR FRIENDS AND ALLIES, IS TO SHORTEN THIS PERIOD OF TURMOIL. FOR TERRORISTS, HOWEVER, THESE DISLOCATIONS ARE A GODSEND: POOR AND FRUSTRATED PEOPLE ARE MORE EASILY SEDUCED BY RADICAL IDEOLOGIES; FLEDGLING DEMOCRACIES ARE MORE VULNERABLE TO MANIPULATION.

THESE DISLOCATIONS GIVE TERRORISTS OPPORTUNITIES TO ACHIEVE THEIR GOALS: TO OVERTHROW GOVERNMENTS, BOTH DEMOCRATIC AND OTHERWISE, AND TO DESTABILIZE ECONOMIES. IN EGYPT, TOURISM IS A PROFITABLE TARGET; TERRORIST ATTACKS MAGNIFIED BY INSTANT INTERNATIONAL MEDIA COVERAGE ARE UNDERMINING A MAJOR SOURCE OF EGYPT'S FOREIGN EXCHANGE. THE PKK HAS NOW EXPANDED ITS TARGET LIST IN TURKEY TO TOURIST FACILITIES. THE PROVISIONAL IRA REGULARLY SETS OFF BOMBS THAT BRING THE CITY OF LONDON TO A STANDSTILL. IN ALGERIA, TERRORISTS HAVE ADDED A GRUESOME NEW DIMENSION -- SLITTING THE THROATS OF INNOCENT FOREIGNERS IN ORDER TO DRIVE AWAY FOREIGN INVESTMENT.

THE WORLD TRADE CENTER ATTACK BROUGHT THESE TACTICS TO OUR SHORES. THE THREAT TO AMERICANS' FREEDOM TO TRAVEL OR TO WORK ABROAD IS EVEN GREATER. IT IS A THREAT TO OUR ECONOMY AS WELL AS TO THE SECURITY OF OUR CITIZENS.

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IN SHORT, TERRORISM REMAINS A THREAT AND, IN SOME AREAS, POSES A BRAND NEW THREAT TO THE UNITED STATES AND THE WORLD COMMUNITY. CONGRESS SHOULD KNOW THAT THE CLINTON ADMINISTRATION WILL FIGHT TERRORISM ON EVERY FRONT, BOTH AT HOME AND ABROAD.

DURING THE PAST YEAR, AS IN THE PAST TWO DECADES, WE HAVE FOCUSED OUR EFFORTS ON THE ROLE OF STATE SPONSORSHIP OF TERRORISM.

PERHAPS THE MOST ENCOURAGING CONSEQUENCE OF THE IRON CURTAIN'S COLLAPSE HAS BEEN THE LOSS OF ASSISTANCE TO TERRORIST ORGANIZATIONS FROM COUNTRIES OF THE FORMER WARSAW PACT. INTERNATIONAL TERRORISM WOULD NOT HAVE FLOURISHED AS IT DID DURING THE PAST 20 YEARS IF IT HAD NOT BEEN FOR THE FUNDING, TRAINING, SAFE-HAVEN, AND LOGISTICAL SUPPORT PROVIDED TO TERRORISTS BY SOVEREIGN STATES. FOR THIS REASON, WORKING CLOSELY WITH OUR ALLIES, WE SEEK TO INCREASE THE PRESSURE ON STATES WHICH CONTINUE TO SUPPORT OR SPONSOR TERRORISM AND TO MAKE THEM PAY THE COST IF THEY PERSIST. OUR PRINCIPAL TOOL FOR DOING SO REMAINS THE STATE SPONSOR OF TERRORISM LIST. WE RECENTLY COMPLETED A REVIEW OF THAT LIST AND DECIDED TO MAINTAIN IT AS REVISED WHEN WE ADDED SUDAN LAST AUGUST.

STATE SPONSORS

BRIEFLY, **IRAN** REMAINS THE MOST DANGEROUS SPONSOR AND THE GREATEST SOURCE OF CONCERN. A NUMBER OF MURDERS IN GERMANY, TURKEY, SWITZERLAND AND ITALY CAN BE LAID AT ITS DOOR. IRAN'S SURROGATE, HIZBALLAH, WAS RESPONSIBLE FOR THE BOMBING OF THE ISRAELI EMBASSY IN BUENOS AIRES IN EARLY 1992. IRAN OPPOSES THE MIDDLE EAST PEACE PROCESS AND IT ARMS AND FUNDS REJECTIONIST GROUPS WHO ESPOUSE VIOLENCE. A FEW MONTHS AGO, THE PRESIDENT MET WITH SALMAN RUSHDIE, WHOSE MURDER THE IRANIAN GOVERNMENT STILL ADVOCATES.

WE CONDUCT AN ACTIVE DIALOGUE WITH OUR PRINCIPAL ALLIES SEEKING TO RAISE THE COST TO TEHRAN OF ITS SUPPORT FOR TERRORISM AND TO ENSURE THAT IRAN HEARS THE SAME MESSAGE FROM ALL OF US. A LONG TERM OBJECTIVE IS TO HARMONIZE EXPORT POLICIES TO IRAN. A GREAT DEAL MORE WORK NEEDS TO BE DONE. WE ARE CONCERNED AT GERMANY'S INVITATION TO IRAN'S MINISTER OF INTELLIGENCE FOR BILATERAL TALKS AND OVER FRANCE'S RELEASE OF TWO IRANIANS SOUGHT FOR MURDER IN SWITZERLAND.

LAST YEAR, WE ADDED **SUDAN** TO THE TERRORISM LIST BECAUSE IT KNOWINGLY GIVES SAFEHAVEN TO A NUMBER OF INTERNATIONAL TERRORIST GROUPS, INCLUDING THE NOTORIOUS ABU NIDAL ORGANIZATION. ALTHOUGH WE HAVE NO CONCLUSIVE EVIDENCE THAT SUDAN HAS ITSELF PARTICIPATED IN OR SPONSORED TERRORIST ACTIONS, WE BELIEVE THAT SUDAN-BASED ORGANIZATIONS HAVE PERPETRATED ACTS OF TERRORISM IN EGYPT, TUNISIA AND ALGERIA.

INTERNATIONAL SANCTIONS HAVE HAMPERED BUT HAVE NOT ELIMINATED **IRAQ'S** ABILITY TO CONDUCT INTERNATIONAL TERRORISM. AN IRAQI SCIENTIST WAS MURDERED IN AMMAN AND IRAQI AGENTS HAVE SABOTAGED TRUCKS CARRYING RELIEF SUPPLIES TO THE KURDISH AREA OF NORTHERN IRAQ, KILLING INNOCENT AID WORKERS.

DESPITE NEW INTERNATIONAL SANCTIONS, **LIBYA** HAS NOT COMPLIED WITH UN SECURITY COUNCIL DEMANDS THAT IT SURRENDER THE SUSPECTS IN THE BOMBING OF PAN AM FLIGHT 103 AND COOPERATE WITH THE FRENCH IN INVESTIGATING THE BOMBING OF UTA FLIGHT 772. THE PAST YEAR HAS SEEN CONTINUED MANEUVERING BY LIBYA TO AVOID COMPLIANCE BUT OUR MESSAGE IS CONSTANT; THERE IS NO COMPROMISE ON THE ISSUE OF JUSTICE. IN DECEMBER, AT ARLINGTON CEMETERY, THE PRESIDENT DEDICATED A MEMORIAL TO THE VICTIMS OF THE BOMBING AS A SYMBOL OF OUR DETERMINATION TO SEE JUSTICE DONE. WE ALSO HAVE REASON TO SUSPECT A LIBYAN HAND IN THE DISAPPEARANCE OF DISSIDENT MANSUR KIKHIYA IN CAIRO IN DECEMBER.

SYRIA CONTINUES TO SUPPORT GROUPS WHICH CARRY OUT TERRORIST ATTACKS AGAINST ITS NEIGHBORS, ISRAEL AND TURKEY. PRESIDENT CLINTON RAISED THE SUBJECT OF TERRORISM WITH PRESIDENT ASSAD AT THEIR JANUARY MEETING IN GENEVA. WE WILL CONTINUE TO PRESS DAMASCUS FOR SATISFACTION ON THIS ISSUE.

CUBA AND **NORTH KOREA** HAVE NOT BEEN TIED DIRECTLY TO ACTS OF INTERNATIONAL TERRORISM FOR SOME TIME. IN CUBA'S CASE, THAT APPEARS TO BE MORE A FACTOR OF ITS DISASTROUS ECONOMIC SITUATION AND LOSS OF SOVIET SUPPORT. NEVERTHELESS, CASTRO HAS NEVER DISAVOWED HIS IDEOLOGICAL DEFENSE OF TERRORISM AS A LEGITIMATE POLITICAL TOOL. ALTHOUGH OUR CURRENT BILATERAL PROBLEMS WITH NORTH KOREA ARE DOMINATED BY ITS EFFORTS TO DEVELOP NUCLEAR WEAPONS, PYONGYANG HAS DEMONSTRATED BOTH A CAPABILITY AND WILLINGNESS TO ENGAGE IN LARGE SCALE TERRORISM WHENEVER IT CHOOSES.

FUTURE TRENDS

THE WORLD TRADE CENTER BOMBING HIGHLIGHTED A NEW DEVELOPMENT THAT CAN COMPLICATE THE FIGHT AGAINST TERRORISM. THE ATTACK, IN WHICH SIX AMERICANS DIED AND MORE THAN ONE THOUSAND WERE WOUNDED, WAS CARRIED OUT BY A SMALL GROUP OF INDIVIDUALS WITH LIMITED TECHNICAL SKILLS AND WITHOUT APPARENT CONNECTIONS TO A FOREIGN STATE OR ORGANIZED TERRORIST GROUP.

ANOTHER RECENT DEVELOPMENT IS THE APPEARANCE OF AFGHAN MUJAHEDIN FIGHTING IN A NUMBER OF UNRELATED CONFLICTS. THE MUJAHEDIN ARE A POTENTIAL BODY OF RECRUITS FOR GROUPS ADVOCATING A VIOLENT, RADICAL, AGENDA.

WE CONTINUE TO MONITOR CLOSELY ANY TERRORIST SPILL-OVER FROM THE WARS IN BOSNIA OR THE FORMER SOVIET UNION AS WELL AS THE ONGOING TERROR IN NORTHERN IRELAND AND SOUTH AFRICA.

I WOULD LIKE TO HIGHLIGHT THE POINT THAT WE DO NOT, I REPEAT, DO NOT REGARD RESURGENT ISLAM AS THE NEXT "ISM" CONFRONTING THE WEST OR WORLD PEACE. THE ADMINISTRATION BELIEVES THAT SUCH THINKING IS DANGEROUSLY WRONG AND REJECTS THE DRAWING OF LINES OF CONFRONTATION BETWEEN THE WEST AND THE ISLAMIC WORLD. OUR CONCERN IS WITH THE RELIGIOUS EXTREMISTS WHO RESORT TO VIOLENCE NO DIFFERENTLY THAN THE SECULAR TERRORISTS OF THE LAST TWO DECADES.

THE HORRIBLE ATTACK IN HEBRON ON FEBRUARY 25 UNDERSCORES THE DANGER FROM RELIGIOUS EXTREMISTS. AS SECRETARY CHRISTOPHER SAID FRIDAY, WE CONDEMN IN THE STRONGEST TERMS THIS ABHORRENT ACT OF TERRORISM. THE PARTIES TO THE PEACE PROCESS MUST NOT PERMIT THIS VIOLENT ACT -- OR THE VIOLENT RESPONSE TO IT -- TO DETER THEM FROM THE PATH OF PEACE.

JUST AS FRIDAY'S MASSACRE IN A HEBRON MOSQUE WAS AIMED AT THE PEACE PROCESS, THE RECENT CHURCH BOMBING IN LEBANON SEEMS CLEARLY AIMED AT LEBANON'S RECONCILIATION PROCESS. THE EXTREMISTS HAVE A COMMON PURPOSE -- TO PROMOTE DIVISION, STRIFE AND WAR. THEY MUST NOT AND WILL NOT BE ALLOWED TO SUCCEED.

U.S. POLICY

MR. CHAIRMAN, WE BELIEVE THE BASIC U.S. POLICY OF NO CONCESSIONS, PRESSURE ON STATE SPONSORS AND APPLICATION OF THE RULE OF LAW IS A SOUND ONE.

IN REGARD TO THE LAST POINT, I WANT TO EMPHASIZE THAT REGARDLESS OF THE POLITICAL CLAIMS OF TERRORISTS, THEIR ACTIONS ARE IN VIOLATION OF DOMESTIC AND INTERNATIONAL LAW AND SHOULD BE TREATED AS CRIMINAL BY THE WORLD COMMUNITY. LAST JULY WE DEMONSTRATED THE VALIDITY OF THIS CONCEPT. THE HIJACKER OF AN EGYPTAIR FLIGHT TO MALTA, AN ATTACK WHICH CAUSED THE DEATH OF 60 PEOPLE INCLUDING AN AMERICAN WOMAN, NOW FACES TRIAL HERE IN WASHINGTON. MUHAMMAD ALI REZAQ WAS RELEASED FROM A MALTESE PRISON BEFORE COMPLETING HIS JAIL TERM. WE TRACKED HIM THROUGH AFRICA AND, IN A TEXTBOOK MODEL OF INTERAGENCY AND INTERGOVERNMENTAL COOPERATION, SECURED HIS RENDITION TO U.S. AUTHORITIES.

MR. CHAIRMAN, WE APPRECIATE THE INTEREST YOU AND CONGRESSMAN BEREUTER SHOWED IN THE ISSUE, AND YOUR RESOLUTION IN SUPPORT OF THE EFFORTS TO BRING REZAQ TO JUSTICE.

INTERNATIONAL COOPERATION HAS BEEN EXCELLENT IN VIGOROUS ENFORCEMENT OF THE NEW UN SECURITY COUNCIL SANCTIONS ON LIBYA, ACHIEVED IN CONCERT WITH FRANCE AND THE UK. BUT, WE WILL NOT REST UNTIL THE ACTUAL PERPETRATORS ARE TURNED OVER FOR TRIAL IN THE U.S. OR SCOTLAND. THE FAMILIES AND FRIENDS OF THOSE WHO DIED IN THIS HEINOUS ATTACK DESERVE NO LESS. UN SECURITY COUNCIL RESOLUTION 883 BROKE IMPORTANT NEW GROUND BY FREEZING SELECTED LIBYAN ASSETS AND BANNING THE SALE OF MANY CATEGORIES OF OIL INDUSTRY EQUIPMENT. HOWEVER, IF LIBYA CONTINUES TO DEFY THE UNITED NATIONS, WE WILL SEEK NEW SANCTIONS.

LOOKING TO THE FUTURE, WE SEEK NEW MECHANISMS TO COOPERATE ON TERRORISM WITH THE EUROPEAN UNION AND ITS LAW-ENFORCEMENT ARM, EUROPOL. AS THE EUROPEANS DEVELOP THEIR OWN INFORMATION SHARING CAPABILITIES, WE WILL PARTICIPATE IN THE EXCHANGE OF INFORMATION ON TERRORISM, AS WELL AS ORGANIZED CRIME AND DRUG TRAFFICKING. WE WILL COOPERATE IN MONITORING AND PREVENTING FUND RAISING EFFORTS FOR TERRORISTS, MONEY LAUNDERING SCHEMES, AND THE EXPANSION OF FRONT COMPANIES. THIS COMPLEMENTS THE EXISTING INTENSIVE PROGRAM OF BILATERAL EXCHANGES ON THE TERRORIST THREAT WITH THE MAJOR EUROPEAN NATIONS.

UNILATERAL U.S. STEPS

WHILE INTERNATIONAL COOPERATION IS ESSENTIAL, THE U.S. GOVERNMENT ALSO TAKES UNILATERAL STEPS TO COMBAT TERRORISM AND PROTECT ITS CITIZENS. WE HAVE WORKED WITH OTHER FEDERAL AGENCIES ON A FULLY COORDINATED PRESIDENTIAL DECISION DIRECTIVE OUTLINING THE NATIONAL PROGRAM FOR COMBATTING TERRORISM. THIS PDD WILL BUILD ON TEN YEARS' EXPERIENCE IN FIGHTING TERRORISM. ALL AGENCIES HAVE AGREED ON THIS PDD. WE HOPE IT WILL GO TO THE PRESIDENT FOR FINAL APPROVAL SHORTLY.

THE STATE DEPARTMENT AUTHORIZATION BILL INCLUDES PROVISIONS FOR STRENGTHENING THE ROLE OF THE OFFICE OF THE COORDINATOR FOR COUNTERTERRORISM. STATE'S REORGANIZATION IS A RESULT OF CAREFUL STUDY AND IS DESIGNED TO IMPROVE EFFICIENCY BY COMBINING OFFICES. THE COORDINATOR FOR COUNTERTERRORISM WILL BE AN ASSISTANT SECRETARY UNDER THE REORGANIZATION IN THE DIRECT CHAIN OF COMMAND, NOT IN AN ADJUNCT OFFICE WITH FEWER RESOURCES. IN ADDITION, THE COORDINATOR WILL HAVE A STRONG ADVOCATE IN ME, PROPOSED IN THE REORGANIZATION TO BE THE UNDER SECRETARY FOR GLOBAL AFFAIRS. I MEET WITH THE SECRETARY OF STATE EVERY DAY.

IN THE SENATE'S VERSION OF THE BILL, WHICH WE SUPPORT, THE COORDINATOR WILL BE FORMALLY DESIGNATED AN ASSISTANT SECRETARY ANSWERING DIRECTLY THROUGH ME TO THE SECRETARY. THE DEPUTY ASSISTANT SECRETARY FOR COUNTERTERRORISM WILL HAVE THE RANK OF AMBASSADOR, ENHANCING THE AUTHORITY OF BOTH OFFICIALS.

WE WILL CONTINUE TO SEEK CONGRESSIONAL SUPPORT FOR IMPORTANT PROGRAMS SUCH AS ANTI-TERRORISM ASSISTANCE TRAINING AND COUNTERTERRORISM RESEARCH AND DEVELOPMENT. I BELIEVE THAT THE ANTI-TERRORISM TRAINING OFFERED TO OUR FRIENDS WHO FACE A TERRORIST THREAT ABROAD HAS MADE A SIGNIFICANT CONTRIBUTION TO THE DECLINE IN THE LETHALITY AND NUMBER OF TERRORIST INCIDENTS WORLD-WIDE. TRAINING PROVIDED BY THE ATA PROGRAM HAS REVOLUTIONIZED AIRPORT SECURITY ARRANGEMENTS. THE QUALITY OF OUR TRAINING PROGRAM IS WELL RECOGNIZED AND IN HIGH DEMAND WORLDWIDE. WE ARE ASKING FOR $15.2 MILLION FOR THE ATA PROGRAM IN FY '95. I URGE YOUR SUPPORT FOR THIS PROGRAM, WHICH HAS TRAINED LITERALLY THOUSANDS OF CIVILIAN POLICE FORCES IN ALMOST A HUNDRED COUNTRIES, MANY OF WHOM ALSO PROTECT AMERICANS ABROAD.

I ALSO BELIEVE THAT THE DEPARTMENT'S TERRORISM INFORMATION REWARDS PROGRAM, WHICH CAN PAY A REWARD OF UP TO $2 MILLION FOR INFORMATION THAT HELPS IN THE FIGHT AGAINST TERRORISM, HAS PREVENTED TERRORIST ATTACKS AND HAS THUS SAVED LIVES. IN 1993, IN THE WAKE OF THE WORLD TRADE CENTER BOMBING, WE APPLIED THE PROGRAM TO FUGITIVE SUSPECTS FROM DOMESTIC TERRORIST INCIDENTS WHO HAVE FLED ABROAD AND ARE CONSIDERED LIKELY TO COMMIT OTHER ACTS OF TERRORISM IN THE FUTURE AGAINST U.S. INTERESTS.

IN ADDITION, THE STATE DEPARTMENT MANAGES A NATIONAL COUNTERTERRORISM RESEARCH AND DEVELOPMENT PROGRAM WHICH IS JOINTLY FUNDED BY THE DEPARTMENTS OF STATE AND DEFENSE. THREE MILLION DOLLARS IS EARMARKED FOR INTERNATIONAL PROJECTS INVOLVING NATO AND MAJOR NON-NATO ALLIES. RESEARCH FUNDED THROUGH THIS PROGRAM IDENTIFIED A CHEMICAL AGENT TO HELP DETECT PLASTIC EXPLOSIVES. THIS LED, IN TURN, TO SENATE RATIFICATION IN NOVEMBER OF THE <u>CONVENTION ON THE MARKING OF PLASTIC EXPLOSIVES FOR THE PURPOSE OF DETECTION</u>. THIS CONVENTION REQUIRES MANUFACTURING NATIONS TO INCLUDE IN THEIR PLASTIC EXPLOSIVES A CHEMICAL AGENT THAT HELPS THE DETECTION OF THE PLASTIC EXPLOSIVES BY MACHINES OR TRAINED DOGS.

THERE ARE CERTAIN SPECIFIC STEPS CONGRESS CAN TAKE NOW TO STRENGTHEN THE COUNTERTERRORISM PROGRAM AND WE STRONGLY URGE YOU TO DO SO. ONE IS PASSAGE THIS SESSION OF THE IMPLEMENTING LEGISLATION FOR THE PLASTIC EXPLOSIVES CONVENTION I JUST MENTIONED. TWO OTHER IMPORTANT TERRORISM-RELATED TREATIES ALSO REQUIRE PASSAGE OF IMPLEMENTING LEGISLATION: THE CONVENTION AGAINST ATTACKS ON CIVILIAN AIRPORTS AND THE CONVENTION AGAINST ATTACKS ON CIVILIAN SHIPS AND OFFSHORE PLATFORMS. WORKING WITH YOUR COLLEAGUES, THE PERTINENT LANGUAGE OF THE 1991 CRIME BILL CONFERENCE BILL VERSION WAS IMPROVED IN THE REVISED CRIME BILL PASSED BY THE SENATE IN NOVEMBER.

WE STRONGLY URGE THE HOUSE TO PASS THESE AND THE OTHER IMPORTANT COUNTERTERRORISM MEASURES NOW IN THE CRIME BILL. THEY INCLUDE PROVISIONS TO STRENGTHEN THE PROTECTION FOR THOSE WHO PROVIDE INFORMATION UNDER THE TERRORISM REWARDS PROGRAM AND STRENGTHENED LAWS AGAINST PROVIDING MATERIAL SUPPORT FOR TERRORIST OPERATIONS. IF THE CRIME BILL DOES NOT PASS THIS YEAR BECAUSE OF DISPUTES OVER OTHER SECTIONS, WE WOULD URGE YOU AND YOUR COLLEAGUES ON THE JUDICIARY COMMITTEE TO CONSIDER BREAKING OUT THESE COUNTERTERRORISM PROVISIONS INTO ANOTHER BILL. IT HAS BEEN FOUR YEARS SINCE THE SENATE GAVE ITS ADVICE AND CONSENT TO THE AIRPORT AND MARITIME CONVENTIONS. IT IS TIME TO IMPLEMENT THESE TREATIES, ALONG WITH THE PLASTIC EXPLOSIVES TREATY.

CONCLUSION

IN CONCLUSION, MR. CHAIRMAN, I CAN ASSURE YOU THAT WE REMAIN ALERT TO THE CHANGING DANGERS OF INTERNATIONAL TERRORISM. WE WILL CONTINUE TO MAINTAIN OUR VIGILANCE AND IMPROVE OUR CAPABILITIES WHEREVER APPROPRIATE TO ENSURE THE SAFETY OF AMERICANS AND AMERICAN INTERESTS THROUGHOUT THE WORLD. WE APPRECIATE YOUR SUPPORT IN THIS EFFORT. I LOOK FORWARD TO YOUR QUESTIONS. THANK YOU.

Mr. LANTOS. Ms. Bodine, do you have an opening statement——

Ms. BODINE. No.

Mr. LANTOS [continuing]. Or will you just respond along with the Secretary?

Very good. Since he has a conflicting commitment, I will call on my good friend and colleague from New York to make whatever statement he wants to make and then to ask whatever questions he chooses to.

Mr. GILMAN. Thank you, Mr. Chairman. Thank you for moving ahead so that I can meet my other obligation.

I want to greet Counselor Tim Wirth and I want to wish him well in his new endeavors with all the hats he is wearing over in the State Department. I would like to thank you, Mr. Chairman, for arranging this hearing on international terrorism and it is certainly timely with what we have been seeing in the last few months. It is just 1 year ago last week that all of us in this Nation faced a horror, the World Trade Center bombing in New York. That cowardly act, as we recall, took six innocent lives, including a constituent of mine, left enormous physical damage, injured over 1,000 people, and as Counselor Wirth appropriately noted, it was a wake-up call that right here in our own Nation Americans were no longer safe from terrorism.

That explosion last February has taught us some important lessons. First, we must always be on guard, even when the headlines and nightly newscasts contain no current reports of terrorist activities. We need tighter controls over how we issue visas and tougher penalties for those who produce and use false passports and visas, especially for terrorist purposes as was demonstrated in the World Trade Center bombing. It is time to crack down on the spread of false travel documents, which help terrorists commit their crimes. Maximum penalties for these offenses have been a tap on the wrist, a $2,000 fine, 5 years in prison. I have introduced legislation that would boost these penalties to $250,000 in fines and 10 years in prison, and in cases where false travel documents were used to facilitate terrorism, a prison term would be as much as 20 years.

Mr. Chairman, my legislation, hopefully, will strengthen the ability of Federal agencies to deter terrorism on our shores and I hope that the administration will be supportive of this legislation. Terrorism has to be met with swift, sure and appropriate punishment from all civilized governments of the world.

Earlier today, Mr. Chairman, I had an opportunity to meet with some of our European parliamentarians and we discussed this and they were in total agreement, that we have to work closer together on this issue. We cannot concede one jot of legitimacy to the terrorist, regardless of motivation. There can be no safehaven anywhere for terrorists, nor normal relations with any nation that harbors them.

Finally, all civilized governments and their law enforcement and intelligence agencies are going to have to work together to penetrate and to thwart the schemes of international terrorist organizations. We all have a stake in this struggle, and I look forward to being kept apprised, along with my Chairman and our colleagues, just what the administration is doing about this important threat.

I look forward to working with you, Counselor Wirth, as you address this issue. We welcome your remarks.

[The prepared statement of Mr. Gilman follows:]

STATEMENT OF HON. BENJAMIN A. GILMAN

Thank you, Mr. Chairman. I would like to thank you for this hearing on international terrorism—and join you in welcoming our former colleague, Counsellor Tim Wirth.

Today's hearing is especially timely. It was just 1 year ago last week that we in this nation faced the horror of the Trade Center bombing in New York.

That cowardly act took six innocent lives, including a constituent of mine. It left more than 1,000 people injured and cost more than $600 million in property damage and lost business.

The physical damage was enormous, but the damage to our sense of internal security was worse. Right here at home Americans were no longer safe from terrorist attack.

The blast of a terrorist bomb was no longer just a television scene from Beirut or Cairo or Northern Ireland or London. The smoke from the World Trade Center last February meant that international terrorism had come to the very heart of America's largest city.

Thanks to extensive undercover work, Federal and local law enforcement agencies were able to swiftly identify and arrest those involved in that bombing.

The undercover work necessary to get inside these groups is difficult and dangerous, and our law enforcement agencies are to be especially commended for penetrating the inner circle of one of these tightly knit terrorist groups.

The awful explosion last February has taught us some important lessons.

First—we must *always* be on guard, even when the headlines and nightly newscasts contain no reports of terrorist activities.

That includes tighter controls over how we issue visas overseas and—*tougher* penalties for those who produce, distribute and use false passports and visas.

Some of the defendants in the World Trade Center bombing also have been charged with possession and use of false passports and visas.

It is time to crack down on the spread of false travel documents which help terrorists commit their crimes. Maximum penalties for these offenses were set back in 1948 and are a gentle tap on the wrist in today's world—a $2,000 fine and 5 years in prison.

I have introduced legislation that would boost these penalties to $250,000 in fines and 10 years in prison. In cases where false travel documents were used to facilitate terrorism—the prison term would be up to 20 years.

Mr. Secretary, my legislation will strengthen the ability of Federal agencies to deter terrorism on our shores, and I hope the administration will support it.

Terrorist acts must be met with swift, sure, and appropriate punishment from *all* civilized governments of the world. We cannot concede one jot of legitimacy to the terrorist—regardless of the motivation. There can be no safehaven *anywhere* for terrorists—nor normal relations with any nation that harbors them.

Finally, all civilized governments and their law enforcement and intelligence agencies must work together to penetrate and thwart the schemes of international terrorist organizations.

As we review our efforts against terrorism today, we must never forget the victims of the Trade Center bombing, Pan Am Flight 103—which claimed the lives of four of my constituents—or all those other terrible and cowardly terrorist acts directed at civilized society.

We all have a stake in this struggle as the families of these victims remind us so vividly. Today it is them, tomorrow it could be one of us or our loved ones.

I look forward to hearing what the administration is doing in this important area and to working with you. Thank you.

Mr. GILMAN. Mr. Chairman, I only have two brief questions.

Counselor Wirth, Abdul Rahman Yassin, indicted in the United States for suspected involvement in the World Trade Center bombing, as far as we know remains in Baghdad today based on whatever intelligence reports we have been getting. He traveled to this country on a passport issued by Iraq. Can you tell us what the State Department has done to return him to this country for trial?

I recognize we don't have any extradition agreements or treaties with Iraq.

Mr. WIRTH. We have a reward out for him, Congressman Gilman, and the extradition negotiations are in a very delicate state right now. And we might leave it at that, if we could.

Mr. GILMAN. Well, I hope that we will be successful. I hope you will continue to press for whatever——

Mr. WIRTH. We are absolutely, Congressman.

Mr. GILMAN. Mr. Wirth, recognizing that the Department is awaiting the outcome of the conference on a State Department bill to be granted the authorization to collect fees from visa applicants for the purpose of modernizing the visa-issuing system, can you update us on the steps being taken to implement the modernization of our visa program?

Mr. WIRTH. I was hoping you might ask that question, Congressman. If you remember, at the last time we talked about this, you had, I think very appropriately, described this as an Abbott and Costello system. And we agreed, and I think—let me say that your comments and our analysis fit together. We moved very rapidly after that. There was a very high level meeting chaired by the Vice President who recognized this, put his shoulder behind it, and some significant commitments from made by the administration. And let me just note those for the record, if I can. Let me say, much of this comes, there are—a choice of words is used and Abbott and Costello caught a lot of people's attention, Congressman. We have accelerated the automation of our visa look out system as rapidly as funding and technological considerations permit. We have installed computer accessible automated systems at more than half of all visa-issuing posts. That has accounted for over 90 percent of all visa applications processed each year.

Our goal is to upgrade the 97 posts that are still using outdated manual look out systems within the next year. Within 36 months, all posts will be equipped with our most secure visa-issuance system, the machine readable visa. The $107 million in the State Department authorization bill, which you referred also in your question, will enable us to complete upgrades to automated systems at all posts. So I think this is a good example of where we are moving away from, what had been severely antiquated technology, and an example as well of where I think the hearing that we had the last time around was of great benefit to everybody.

Mr. GILMAN. Thank you, Counsellor Wirth. And thank you, Mr. Chairman, for allowing me to go ahead.

Mr. LANTOS. Surely.

Mr. Secretary, there has been a great deal of criticism in the press lately, some of it from former officials of the previous administration, concerning this administration's counterterrorism policy. Can you tell us how, if at all, this administration's policy differs from the policy during the last 12 years?

Mr. WIRTH. Thank you, Mr. Chairman.

First of all, if I might have the privilege of including in the record a letter which I sent today to Mr. Robert Bart Lee, the editor of the *Wall Street Journal* in response to an article which appears in yesterday's journal, February 28, which Mr. Robert Greenberger——

Mr. LANTOS. Without objection, the article by Mr. Greenberger from the *Wall Street Journal*, as well as your letter to the *Wall Street Journal*, will be entered in the record.

[The information appears in the appendix.]

Mr. LANTOS. Just so that we know what we are talking about, while I have no intention of reading that article, I would like to read a small portion of it so your response to it will appear in context and will be more meaningful. The title of this article from yesterday's Journal is "Clinton Misses Opportunity in Oil Glut to Punish Libya for Pan Am Bombing."

"The best opportunity for the Clinton administration to punish Libyan terrorism is being missed. Libyan ruler Muammar Qadhafi continues to defy the international community by refusing to cough up two operatives who have been indicted for their role in the 1988 bombing of Pan Am 103. That terrorist act killed 270 people, including 189 Americans. But despite President Clinton's tough campaign talk about bringing the fugitives to justice, the best the United States and its allies have been able to accomplish are United Nations' sanctions that miss the main target, Libya's oil revenues. Now would be the ideal time to cut Libya's oil lifeline. The world is awash in oil."

And to conclude the quote, "the United States continues to shy away from aggressive action. Following the ceremony at Arlington, this refers to a very tragic ceremony, a couple whose daughter, Theodora, was killed on Pan Am 103, wrote a scathing letter to the White House. They said, after 5 years we will have a tombstone for the kids, a place to come and cry every year."

Is that the best the most powerful Nation on Earth can do? I must say that this couple whose daughter was killed in the Pan Am outrage, more than 5 years ago, certainly scores with me. I mean, the picture is one of the impotent giant. As I pointed out at an earlier hearing, when it seemed that in Kuwait during President Bush's visit there was an attempt at his life, fortunately unsuccessful, there was immediate, forceful military action. Here we have 189 Americans dead, 189 Americans flying in a Pan Am plane dead in 1988, and we are still begging Libya to expel these two hoodlums so they can stand trial. And every few months we have a hearing and we go through the same circus and nothing happens.

The credibility of this administration, I say this in all seriousness, is in growing jeopardy, as was the credibility of NATO which for 22 months did nothing on Bosnia. And when it finally decided to move 2 weeks ago, 3 weeks ago, things began to change.

I simply do not understand why it takes so long to grasp the elementary fact that diplomacy without a credible threat of force is impotence. We have had a lot of impotence for a lot of years by both the Bush administration and now by this administration on this issue, I don't see any change.

I read your letter to the *Wall Street Journal,* which you may choose to summarize or read, it is in the record. I don't think it effectively answers the article in the *Wall Street Journal*. These two thugs are still in Libya. Qadhafi is laughing at us. And we will have another hearing 3 or 6 months from now going through the same ground and getting the same answers.

I am not blaming you, Mr. Secretary, personally, but I am blaming both the previous administration and this administration in not doing more than what it is doing. Or closing the book on this and saying we can't do anything, we admit failure and we move on to other things.

But to tell the families, as we keep doing all the time, that we are going to bring these people to justice when these people are not brought to justice, undermines confidence in government in general. People are not interested in what the administration is saying. They are interested in what the administration is doing. And the administration has done nothing effective to bring these people to justice.

Now, you may see differently.[1]

Mr. WIRTH. Mr. Chairman, thank you very much.

First of all, let me say in no uncertain terms that we are not shutting the book on this incident. The President has met with the Pan Am 103 families. The President was there, as you were, at the extraordinarily moving ceremony in Arlington Cemetery. The United States has pressed very hard in the United Nations for a broader package of sanctions, as you know, Mr. Chairman. The United States was hoping very much that those sanctions would go beyond what we had the votes to get.

Now, there are 15 members of the Security Council, as you know, Mr. Chairman, and in order to have a resolution pass through the Security Council, one, you have to have 10 votes, and, second, one has to avoid vetoes by any of the members of the Permanent Five. The United States——

Mr. LANTOS. Were there any vetoes cast or threatened?

Mr. WIRTH. We did not get to the point of a veto, because we didn't have 10 votes for a stronger package—the package, which we wanted—but we did not have those 10 votes.

Mr. LANTOS. But that is the problem. Because in order to get the 10 votes, punitive action would have to be threatened against countries that need us in a dozen different ways, unless they vote with us. They have learned to defy us with impunity, and that is the issue. You are correct, we didn't have the 10 votes. And if you list the countries, both you and I can point to the pressure points that could have been applied and should have been applied so the votes would have been forthcoming.

It is outrageous and preposterous that countries that claim to be civilized do not give us the vote to bring to justice the perpetrators of the bombing of a civilian aircraft which resulted in the death of hundreds of innocent civilians.

The fact that Madeleine Albright tried to persuade them is not enough. We have plenty of weapons in our arsenal, economic, weapons, financial, political, diplomatic, and cultural weapons, to pull together those 10 votes.

May I ask you, Mr. Secretary, and I hope you have this answer. If you don't, I understand, but I would be grateful if you would submit it, how many votes did we have? How short were we of the 10 votes?

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[1] The letter and article appear in the appendix.

Mr. WIRTH. Well, the final resolution did pass, but not as strong, as strong a resolution as we would like to have.

Mr. LANTOS. But how many votes did we have for the stronger resolution?

Mr. WIRTH. Well, it is difficult. We were working on the resolution, Mr. Chairman, on the basis of two variables. One, we would have been delighted to have a full embargo on Libyan oil. And the one valid point that is made in I think Mr. Greenberger's article is that this is a time where the Libyans are vulnerable. World oil prices are down. There is an access to oil all over the world.

We tried to make that point. In fact, Ms. Bodine and I traveled back and forth across the Atlantic on this very issue, attempting to persuade, cajole, and push for a full embargo.

The other package of variables that we had was working with oil equipment, and we were hoping that there would be, as you know, a full oil equipment embargo as well.

Those were the two items—those were the two pieces that we would like to see in a package. That is where the major leverage was. We were able to make partial progress with the members of the—that we had to have for putting this together. We were able to make a partial progress and get half a loaf of each one of those. And it was not, as we said at the time and will continue to say, everything in terms of a package of sanctions that we would want.

What we have done since getting that package, Mr. Chairman, and being able to have that collection of activities which was very difficult to get, I will say, after we got that we are now very vigorously enforcing the aspects of that package of sanctions which are enforceable, particularly as they relate to the freezing of assets and financial institutions. And that will mount up pressure. And we are prepared, Mr. Chairman, to try to take the next step as well after we see what has happened with this package of sanctions.

Are the Libyans hurting? Of course they are. There is no question about the fact that the sanctions that have been brought to bear so far, ranging all the way from economics and air travel to the modest oil sanctions, so far have damaged the economy of Libya. And we would like to see further pressure being brought to bear. But we cannot do that unilaterally, Mr. Chairman. There is no way in which we can.

Mr. LANTOS. Mr. Secretary, I am not asking for unilateral action, and I am afraid I am not making myself clear. International publicity and publicity within the United States has a tremendous impact. Now, if any of the 15 countries, for instance, is a tourist destination of the United States, and the administration would have the courage to state the name of that country in a public hearing, there would be an outrage among American citizens that this country is not prepared to give us a vote so the murderers of so many Americans can be brought to justice. But we are protecting them. We are protecting these countries, rather than exposing them.

When I was chairing a different subcommittee dealing with domestic issues, we were dealing with child labor violations of the most egregious kind, and we named the companies. We said Domino's Pizza is forcing people under age to drive fast to beat their 30-minute deadline for delivering pizza. And this created tremendous damage for that company, tremendous damage. They fi-

nally changed their policies, because the public was outraged. Because we had a mother testify whose 16-year-old son or 15-year-old son was killed trying to deliver Domino's Pizza under 30 minutes.

Now, the government could have taken the position that we will keep that name quiet. If you keep the name quiet, there is no impact. And I would like to renew my request that in a reasonable time, because this surely is available to Madeleine Albright's office, the State Department kindly submit to this subcommittee its estimate of the number of countries, the names of the countries that prevented your reaching your goal and our goal of more effective sanctions.

There are 15 names. One of them is ours. There are 14 remaining names. Some of these countries said yes, we will vote for you on the tougher sanctions. Some said we won't. Now in that latter group, there are some over which we have influence and others we don't. Did we use our influence?

Mr. WIRTH. Well, Mr. Chairman, we will do the best we can to reconstruct that, but get me again say there was no resolution which was upon which we were counting heads for a vote, no specific resolution. It was like a negotiation which you go through all the time on the floor of the House or on the floor of the Senate, in which you are moving variables for the purpose of trying to see if I do this will this capture that vote over here; if I do that, will that get this vote over here. And Ms. Albright was absolutely terrific in pushing this thing through.

Mr. LANTOS. She always is.

Mr. WIRTH. We are told that there was no way we were going to get votes for anything, and almost got no votes for anything.

Mr. LANTOS. Well, you see, Ambassador Albright, who does a superb job, gets additional muscle if she can tell her colleagues that these names will be publicized.

You see, the other side is very effective. You mentioned in your testimony, and I was very pleased that you did, that the terrorists in Egypt are targeting tourists and are destroying Egypt's tourist industry. Well, this is not a weapon which is open only to terrorists. It is open to us as well. If a country is unwilling to give us the vote to bring to justice the assassins of American citizens, that is what we are talking about.

This Pan Am circus is getting very tiresome at this end of the table. We are talking about two Libyan thugs to be brought to justice. And we are confronted with the apparent impotence of the United States of America bringing this about. One reason for that impotence is that we are protecting the countries with which Mrs. Albright is dealing because they don't want to give us the votes.

This undermines the ability of our Government to function because our credibility is diminished. It certainly increases the level of dissatisfaction in the Congress. I mean, I don't see any reason why Madeleine Albright should not be able to write a letter at your suggestion to this committee saying we had eight votes for the tougher sanctions and these seven countries were unwilling to give us the vote. That is why we went for the milder sanctions.

Mr. WIRTH. Well, Mr. Chairman, let us do what we can do to reconstruct what happened at that time. We will certainly do so.

I would say it is not the policy of this government to protect anything or to hide anything, as you know. You know it is our intent and we are doing everything we possibly can to bring as much persuasion, as much power, as much leverage against the Government of Libya as possible.

Mr. LANTOS. But you are not using an effective instrument which is called the Congress of the United States, which I can assure you, would not have the slightest reluctance to name names if we had the names. I am not naming the names because I don't know the names. The only person who knows the names is our Ambassador to the U.N. And we would like to ask that we obtain it from her.

Mr. WIRTH. OK. Well, we will do that, Mr. Chairman.

Mr. LANTOS. I appreciate that.

Mr. WIRTH. We will get back to you on that.

[The information requested was not provided to the committee. The response provided to the committee by the Department of State follows:]

Question. Regarding efforts in the U.N. Security Council to get tougher sanctions against Libya for the Pan Am 103 bombing, including a full oil embargo, please provide the names of the countries that prevented us from reaching our goals.

Answer. On November 11, 1993, the U.N. Security Council adopted Resolution 883, sponsored by the United States, the United Kingdom and France. This resolution imposed additional sanctions against Libya in response to Libya's defiance of demands set forth in previous resolutions. Resolution 883 was adopted by a vote of 11 in favor (the United States, United Kingdom, France, Russia, Spain, Venezuela, Cape Verde, New Zealand, Japan, Hungary and Brazil) and four abstentions (China, Pakistan, Morocco and Djibouti).

Neither the United States nor any other Security Council member presented a resolution calling for a full oil embargo against Libya. Extensive consultations with other Security Council members indicate that there is very little support for an oil embargo, and some members would oppose a full embargo. Their reasons include regional economic dependence on Libyan oil exports, and a belief that current sanctions should be given more time to achieve the desired effect of securing Libyan compliance with previous Security Council regulations.

We are now working with the international community to ensure effective implementation of all sanctions against Libya. We reserve the right, however, to seek even stronger measures—including an oil embargo—if Libya continues to defy the demands of the U.N. We do not believe that it would be advisable to seek a full oil embargo against Libya without reasonable assurance that a majority of the Security Council would support this initiative. At this time, most members oppose a full oil embargo.

Mr. WIRTH. Just to complete, if I might, Mr. Chairman, the question started unhappily with Mr. Greenberger's, I would not say reportage, I would say opinion piece in the *Wall Street Journal*, but I don't want to make his writing the subject of the hearing, and it isn't, but I appreciate your putting my response in the record.

Mr. LANTOS. Of course.

Mr. WIRTH. In addition to going through what is new, what have we been doing over the last year, we have significantly augmented our intelligence sharing with our allies. For example, we have just completed 2 days of very extensive discussions and negotiations with the Canadians, just going on right now, Ms. Bodine just came from there.

We have been working very closely with the G–7. And I might say that in those discussions we were talking earlier, Mr. Chairman, about the refinancing of the Iranian debt. That issue has been very high on the G–7 agenda and the United States pushing very hard that that not—that that refinancing not be done. That

was on the G–7 agenda in Tokyo in December and before. And we continue that dialogue with the European Community.

Beyond the intelligence sharing with the Canadians, we have been very active in various aspects of the PKK terrorism, in increasing the cooperation among various countries on that troubling issue, particularly in Europe. We have attempted to get a handle on fund-raising by terrorist groups and this might well result in proposed legislation from us.

The Secretary has been especially concerned about this. We have specifically talked about the fact that a great deal of money is raised by terrorist groups in the United States and how we could get a handle on that legislatively to preclude that.

My exchange with Congressman Gilman talked about the so-called Abbott and Costello issue, or the visa upgrade, the visa watch system. The expedited exclusion provision has been in front of the Congress since last fall and as I noted in my testimony we would hope that that could become law.

The issue between the FBI and the State Department which we had talked about at the last hearing of the problem of the exchange of information and the fee issue is still under discussion between the two agencies. That has not yet been resolved and I just—I had told you I would get back to you on that issue. We are still trying to work our way through.

As you remember, we are required—the administration is required by law to charge an amount of money for various information coming out of agencies. The FBI has various aspects of information needed by the State Department. They have charged us a significant fee for that. We don't have the money to pay, thus we are trying to figure out how we might get the law changed or the administration changed. It is sort of good intentions resulting in the wrong outcome, unhappily, and we are probably going to have to change the law on that.

We have used the international award system made available to the Congress through—for counterterrorism, to apply to domestic terrorists. That has been the case in the World Trade Center when the FBI came to us and we now can apply that.

We have changed the interpretation through our legal counsel of that law that international fugitives engaged in domestic terrorism would now be targeted by that international reward system, and that has been helpful in some of the aspects of the World Trade Center investigation.

So those are a number of steps that we have taken, Mr. Chairman, to strengthen the counterterrorism capabilities over the last year. And I wanted to make sure that we had an opportunity as well to respond to many of the good questions that came up at the last hearing that we had about this.

Mr. LANTOS. Thank you very much, Mr. Secretary. Now, I, of course, know that consular affairs does not fall directly under your current jurisdiction. Am I correct?

Mr. WIRTH. That is correct.

Mr. LANTOS. It may soon. Is that correct?

Mr. WIRTH. No, Mr. Chairman, I have got enough hats as it is. I was hoping that I could avoid that honor.

Mr. LANTOS. Well, let me ask a question that relates to the consular affairs people, and ask you to sort of convey this so they may avoid a second hearing, which I think they would relish avoiding.

Despite public assurances, the Assistant Secretary for Consular Affairs that an interpretation of the terrorist exclusion under the INA would be changed to reflect that Congress never intended to prohibit the Department of State from denying visas to members of terrorist organizations, to the best of my knowledge, there has been no change in this during the course of the last 6 months.

As I understand it under current State Department policy, routinely PLO members are denied visas, despite the fact that we are dealing with them, they are part of the peace process, but members of Hamas, the more violent terrorist organization hell-bent on destroying the peace process, members of Hamas may receive visas. Am I correct in this interpretation, Ms. Bodine?

Ms. BODINE. I think we should do that for the record. I do know that he and consular affairs are looking at that. I think that would be better if we did that for the record.

Mr. LANTOS. Well, I am perfectly happy to have you do it for the record. My understanding is that Hamas, which is publicly on record as wanting to destroy the peace process, does not have a restriction with respect to its members obtaining visas.

Ms. BODINE. It is correct that the PLO is the only organization that by law specifically states that all members shall be denied or shall seek a waiver. But that does not mean that members of other organizations get visas automatically. So there is only one group that is specifically banned, that is the PLO, but other members can be denied visas. I don't know the fine points of that and I think it would be better to come back.

Mr. LANTOS. But Mrs. Bodine, I don't think it is such a fine point. I mean, if we have a violent terrorist organization which has as its publicly stated policy to destroy by all violent means at their disposal the ongoing peace process in the Middle East—which is a priority of the United States, to the point of the President 2 days ago issuing an invitation to all the parties to come to Washington to continue the peace process—why would consular affairs continue not to list that organization as one that automatically should exclude individuals from getting a visa to the United States? One doesn't need to be a rocket scientist to see the logic of what I am saying.

Mr. WIRTH. Mr. Chairman, this is—I am apologetic in saying this does not fall under our bailiwick, but let us, you know, find out how this works and we will make sure that consular affairs calls your staff. Let's make sure that we know exactly what the question is and can work back and forth so that we can refine an answer that is the right answer.

Mr. LANTOS. I would be grateful if you could do that. I realize this doesn't fall under your jurisdiction. The point I am making is that Hamas members cannot be denied visas just for being members of Hamas. State has to have a reason to believe that they have been involved in terrorist activities.

Well, if the whole organization has as its raison d'etre the violent destruction of the peace process, one would think we could put them on a list that they would automatically exclude them.

Mr. WIRTH. Sounds like a perfectly reasonable suggestion to me, Mr. Chairman, but let's find out.

Mr. LANTOS. I am very glad, I am very glad that you share my view.

[The information follows:]

Question. Despite the assurances from the Bureau of Consular Affairs that the Department would toughen its visa exclusion policy to exclude members of Hamas, an organization that engages in terrorism and opposes the peace process, why does the Department not list Hamas as a group whose members are to be denied visas to the United States?

Answer. The Immigration and Nationality Act, as amended by the Immigration Act of 1990 (INA), makes clear that officers, officials, representatives or spokesmen of the PLO, and aliens who have engaged in, or who are likely to engage in, a terrorist act are ineligible for a visa. The statute includes definitions both of "terrorist act" and "engaging in". We believe the INA allows us to exclude persons who are members of organizations in which membership necessitates involvement in terrorist acts.

The Palestinian Islamic Resistance Movement (Hamas) is not such an organization. Hamas has a military arm which constitutes a part of the movement and has conducted terrorist attacks against Israeli civilian and military targets in Israel and the occupied territories. Hamas members who have participated in these acts would be ineligible for visas under current law.

The Palestinian Islamic Resistance Movement (Hamas) is not such an organization. Hamas has a military arm which constitutes a part of the movement and has conducted terrorist attacks against Israeli civilian and military targets in Israel and the occupied territories. Hamas members who have participated in these acts would be ineligible for visas under current law.

However, Hamas also devotes extensive human and financial resources to its widespread social welfare programs, providing Palestinians in the occupied territories with economic assistance, health care, and education.

Assistant Secretary Mary A. Ryan testified before the House Judiciary Subcommittee on International Law, Immigration and Refugees on February 23, 1994 that the Department does not object to legislation that would make officers, officials, representatives, and spokespersons of Hamas excludable on the basis of their status. At the same time, however, we do not favor making mere membership in Hamas a ground of exclusion.

Mr. LANTOS. I wonder if Congressman Smith has any questions?

Mr. SMITH. Very briefly, Mr. Chairman, I apologize for being late. We had a meeting with the Western Hemisphere Committee and I am on that committee, so I had to be there. But I will look over your testimony, Counselor Wirth, and I thank you for appearing before the committee.

I do have one question with regard to nuclear terrorism. You probably saw that Rand study that suggested that by the year 2003 there will be a sufficient surplus of plutonium to make some 87,000 nuclear bombs, raising the quite frightening scenario of a rogue outfit getting their hands on plutonium and fashioning however crude a bomb may be. Certainly a weapon of that kind would be absolutely devastating.

What steps are contemplated or might we take to head that problem off? You know, it is 10 years down the line that that amount will be available, but every day conceivably some of that is being made available, some of that plutonium.

Mr. WIRTH. Congressman Smith, I am going to—the bottom line of what I am going to say is that we perhaps ought to have a discussion about this in closed session.

Let me as an open fashion say to you that we have embarked upon two reviews of our overall terrorism policy. One is to review where we have been so far in let's call it conventional terrorism,

if one can say the normal activities of terrorism that we might expect. We also have a second review focused on these very nuclear issues, which we started right after we came into office. Taking these very seriously and there are a whole range of them, as you can imagine. That review is now completed and as I pointed out earlier, we hope will move to the President for review and signature shortly.

There has been a broad interagency agreement on it. It is a very complicated, in some places highly technical, and as your question points out, very dangerous set of issues. And perhaps, Mr. Chairman, at some appropriate time we might have a discussion with members of the committee about that.

Mr. SMITH. Mr. Chairman, I would ask that we do that, because I think it would be very helpful in closed session. Since I missed most of your testimony, if any questions, if this is repetitive, I will look on the record, but did you speak to the issue of the PLO and Israel, obviously the problems that have occurred there?

Mr. WIRTH. I spoke to this in my testimony as forcibly as it I could, Congressman Smith, and the Secretary as well was I think very eloquent on that subject when he testified in front of the Foreign Affairs Committee last week and this morning in front of the Appropriations Committee.

Mr. SMITH. The only question I have remaining, there is a heightened sense that with the parties presumably coming to discuss final preparations for at least hopefully to come to some conclusion on that dialogue, that someone, some fanatic, may use that as a backdrop for tomorrow——

Mr. WIRTH. Mr. Chair, I can't even get into our building right now.

Mr. SMITH. That is good. OK, thank you.

Mr. LANTOS. I know that you will be leaving——

Mr. SMITH. It is easy to get in here.

Mr. WIRTH. I used to worry, complain about increased security on the Hill. It is, you know, it is a fortress downtown, particularly since Friday.

Mr. SMITH. So it ought to be. Thank you.

Mr. LANTOS. Thank you. I know that you will have to be leaving shortly, and we want to accommodate you, so let me just raise a couple of additional questions.

The Presidential review process on terrorism has been ongoing to my knowledge for over 6 months now. My understanding, Mr. Secretary, is that all relevant government agencies have agreed on the substance of the PDD. May I ask what is the delay in obtaining the President's signature on the PDD?

Mr. WIRTH. Well, all parties have agreed. There has been—there was a good deal of discussion during the review process and some of that continues. We think that all of that has been resolved and the Secretary has urged very strongly that we complete that action and we hope that that occurs very soon.

Mr. LANTOS. Very soon meaning?

Mr. WIRTH. Could happen as we—I think the next meeting of the principals is tomorrow morning. I mean, it could happen.

Mr. LANTOS. So it is imminent?

Mr. WIRTH. I mean we are very close to that.

Mr. LANTOS. OK. As you may know, a few weeks ago I led a congressional delegation to Syria. We had a number of very useful discussions with Syrian officials at very high levels. We had a lengthy meeting scheduled with President Assad for the morning when his son in a tragic automobile accident was killed. Obviously, our meeting did not take place. Since the main purpose of talking with him would have been to explore the steps he intends to take following his meeting with the President in Geneva, can you tell us what specifically Mr. Assad and President Clinton agreed to with respect to terrorism during their meeting in Geneva, and what, if any, actions have been taken by the Government of Syria since that summit meeting on the subject of terrorism?

Mr. WIRTH. In that meeting, the President urged President Assad to do two things. One, that he had to disavow terrorism, the President was referring to the language of the Congress. He had to disavow terrorism and exhibit a continuing pattern of nonsupport for terrorism. The President made that very clear. Unhappily, the Syrians are still supporting, we think, various terrorist groups, and have not made nearly the steps that we think would begin to suggest that we recommend that they be taken off of the terrorist lists.

Why don't I get, again, as we were in the discussions of earlier meetings, with the Japanese per your earlier request and Chancellor Kohl, why don't we find out what we can that would be available to the committee in greater detail of his discussions with the President Assad?

Mr. LANTOS. That is very satisfactory.

[The information follows:]

Question. What specifics did Syrian President Assad and President Clinton agree to with regard to terrorism during their recent Geneva meeting and what, if any, actions are being taken?

Answer. After reviewing key bilateral issues such as terrorism, President Clinton and President Assad instructed Syrian Foreign Minister Shara and Secretary Christopher to establish a bilateral mechanism to permit a detailed and sustained exchange to address U.S. concerns on these key issues. The Secretary and Foreign Minister Shara are working to institute this mechanism which should enable us to address methodically specific U.S. concerns on issues such as terrorism and to follow up on an ongoing basis.

Mr. LANTOS. Let me just say in conclusion, Mr. Secretary, that this subcommittee has full confidence both in you and Mrs. Bodine on this issue. Our impatience which you may have noted from time to time is really directed at the institution as a whole. We think that in many ways the Department is not using the resources at its disposal, such as adverse publicity, which is a cost-free resource. We don't have to appropriate hundreds of millions of dollars for us to publicize the names of countries that prevent the bringing to justice of terrorists. We feel very intensely about this and we know we will continue to have your support. And I am most grateful to both of you.

Mr. WIRTH. Mr. Chairman, if I might add just two points before we close. One, I want to again publicly thank the Pan Am 103 families who have been quite remarkable, I think absolutely extraordinary, in their resolve and continued diligence and push on this. I find it a singular demonstration of commitment and remarkable goodwill to other people and other generations that they continue

to push as they have. And I want to on behalf of the administration and myself personally to thank them for the model and the example which they give to us all.

I also, Mr. Chairman, wanted to thank you and the committee. As I have noted on a number of occasions this afternoon, issues which have come up in this committee in your questions and the concerns of various members of the committee have been extremely helpful to us. We talk jokingly about Abbott and Costello, but let me say that that exchange allowed us the leverage to make some major changes and major commitments to really change and bring modern technology to the whole visa process. That was very, very helpful.

I have cited a number of other examples today and while some people might say that this hearing process is either pro forma or difficult or you don't want to come up and run the gauntlet or whatever it may be, let me say that we have found this to be very, very helpful and we look forward to working with the committee in the future. We look forward to having a briefing, Congressman Smith, on that other issue, and we have a number of things to get back to you on the record, Mr. Chairman. Thank you very much.

Mr. LANTOS. Well, I want to thank both of you. And let me just say before we close this hearing, there is no doubt in my mind that we share the same goals and the same objectives. Some of us who perhaps through life experiences have been confronted with very uncivilized situations have no difficulty understanding why the Pan Am families are so persistent. If you see your beautiful daughter or son or wife blown up through the mindless act of terrorism of a thug, this stays with you for the rest of your life. This becomes the pivotal event of your life. Other things fade in comparison.

One of my problems in dealing with some of these issues with my friends and colleagues in the State Department for whom I have very high regard, is that we are, if I may be sort of geographically focused, we are approaching Mideast problems with Midwest attitudes. We are not dealing with civilized people who are accountants in the Midwest. We are dealing with terrorists from the darkest recesses of the Mideast, who mistake patience, compromise, willingness to wait in the case of the Pan Am case over 5 years, they construe that to be weakness.

There is no doubt in my mind, Mr. Secretary, that had NATO been used as an instrument of credible threat 22 months ago in Yugoslavia, 200,000 people would be alive today. And the very fine people in the very fine State Departments of the West, for a whole variety of complex reasons, have chosen not to use an instrument which was there for them to use at no cost because they thought that somehow by more gentle means the problem can be solved. And it was only 2 weeks ago or 3 weeks ago in the wake of 68 innocent people being massacred in the open air market of Sarajevo, which I know very well that market, that NATO decided to issue an ultimatum. And as a result of the issuance of that ultimatum, the whole picture has undergone a major change.

Now, that could have been done 22 months ago with far greater effectiveness, and the mass rapes of thousands of women and the killing of 200,000 people, including 6 little children frolicking in the snow in Sarajevo, could have been prevented. So it is very impor-

tant for the State Department, which is made up of highly educated and highly civilized people, to clearly see that much of the world we live in is an uncivilized world. And it views highly civilized action as an index of incomprehension, noncomprehension, or weakness.

And that is why some of us are pressing so hard on these issues. It makes no sense to me if my information is correct that Hamas membership would not automatically disqualify someone from entering the United States. And I don't understand why consular affairs has to wait months and months to make up its mind on this when you grasp it in 3 seconds. And I don't think Secretary Christopher would have any objections to putting Hamas on the list, where membership excludes you from getting a visa in the United States.

I realize it is a long agenda that you deal with and that the Secretary deals with, but these are the few life and death issues we deal with actions that fall within your purview. So let me again express my thanks and my great respect for both of you and the outstanding job you do. We look forward to having you back.

This hearing is adjourned.

[Whereupon, at 3:28 p.m., the subcommittee was adjourned.]

APPENDIX

THE COUNSELOR
DEPARTMENT OF STATE
WASHINGTON

March 1, 1994

Dear Mr. Bartley:

Robert S. Greenberger misses the mark when he accuses the Administration of missing an opportunity to punish Libyan terrorism (Wall Street Journal, February 28).

We remain determined to ensure that the perpetrators of the bombings of Pan Am 103 and UTA 772 are brought to justice. The families of the victims of these murderous acts deserve no less. President Clinton and Secretary Christopher have stated publicly that still stronger international measures against Libya -- including a worldwide oil embargo -- should be enacted if Libya continues to defy the demands of justice and the international community. The enhanced sanctions already in place include freezing Libyan assets worldwide, banning equipment for refining and transporting oil, and tightening the international air embargo against Libya. Currently, we are aggressively enforcing these sanctions. Last December, for example, right after the new sanctions took effect, we froze $90 million in Libyan funds in the United States belonging to a key Arab financial institution based in Bahrain. As a result of this enforcement action and diplomatic pressure, that institution severed all ties to Libya. This decisive action sends a strong message that we are serious about enforcing these sanctions.

Our policy is to increase multilateral sanctions incrementally, steadily increasing the pressure on Libya to comply with the UN's demands. The latest sanctions took effect just three months ago. We will press other governments to join us in additional sanctions against Libya, if necessary, regardless of the state of the international oil market.

Mr. Robert L. Bartley, Editor,
The Wall Street Journal,
200 Liberty Street,
New York, New York.

Concerns about the proposal to relocate the counterterrorism office at the State Department are also misplaced. Given the close ties among drug trafficking, international terrorism, and other international criminal issues, it makes sense to bring the Department's resources on these important issues into one bureau under a single senior manager with rank, title, and clout. The Assistant Secretary who will head the new bureau is an experienced ambassador. He will be in the mainstream chain of command within the State Department, not in an adjunct office in a big bureaucracy. Strengthening our counterterrorism operation illustrates the high priority the Clinton Administration has placed on fighting international terrorism and the threat it poses to the American people.

If there is an opportunity being missed, it is the opportunity for Libya to comply with the UN's demands.

With best wishes,

Sincerely yours,

Timothy E. Wirth

Timothy E. Wirth

THE WALL STREET JOURNAL MONDAY, FEBRUARY 28, 1994 A10

Clinton Misses Opportunity in Oil Glut To Punish Libya for Pan Am Bombing

WASHINGTON INSIGHT

By ROBERT S. GREENBERGER
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON – The best opportunity for the Clinton administration to punish Libyan terrorism is being missed.

Libyan ruler Moammar Gadhafi continues to defy the international community by refusing to cough up two operatives who have been indicted for their role in the 1988 bombing of Pan Am 103. That terrorist act killed 270 people, including 189 Americans. But despite President Clinton's tough campaign talk about bringing the fugitives to justice, the best the U.S. and its allies have been able to accomplish are United Nations sanctions that miss the main target – Libya's oil revenues.

Now would be the ideal time to cut Libya's oil lifeline. The world is awash in oil. Henry Schuler, an oil-industry expert and critic of Col. Gadhafi, notes that current North Sea production of high-grade "light, sweet" oil, similar to that which the Europeans buy from Libya, is at record levels. Indeed, the increase in North Sea production alone this year is expected to equal Libya's total production of 1.3 million barrels a day, Mr. Schuler says.

U.S. will appears to be lacking, though. Despite the favorable world oil supply, the administration continues to accept its allies' assertions that they depend heavily on Libyan oil, and therefore can't go along with American requests for a U.N.-imposed oil embargo.

In the next few years, it will only become more difficult to persuade the Europeans to cut their business ties with Libya and punish Col. Gadhafi. The French oil company Total SA reached an agreement in 1993 to conduct a feasibility study on developing Libya's Mabruk oil field, and could soon begin investing as much as $1 billion in the project. An Italian oil company is discussing major development of natural-gas deposits in Libya. And Col. Gadhafi has plans to expand Libya's ownership of refineries in Europe.

President Clinton suggested a way to spur the Europeans toward action. On Dec. 21, he joined family members of victims of Pan Am 103 at a ceremony in Arlington National Cemetery to dedicate a memorial to those killed. Mr. Clinton told the family members that the 1988 attack on Pan Am 103 was "an attack on America," an assertion that neither President Reagan nor President Bush ever made. Such an attack would seem to demand a response similar to Mr. Clinton's decision to unleash a raid on Iraq in retaliation for Saddam Hussein's alleged attempt to assassinate former President Bush in Kuwait.

Mr. Schuler and other critics suggest that it is time to deal with the Libya issue outside of the U.N., where it bogs down in debate. They advocate telling the European allies that the U.S. will act militarily unless the Europeans join an international oil embargo.

Instead, the administration has sent Libya and other would-be terrorist states a bad signal by proposing to fold the State Department's counterterrorist operation into a larger bureaucratic unit that would also handle such other matters as narcotics and international crime. Since 1986, the head of counterterrorism has held the rank of ambassador and reported directly to the secretary of state.

The administration's idea, which Congress is expected to alter, "would downgrade the [counterterrorism] job, and amalgamate it with two other issues, which means it won't get as much attention," says Paul Bremer, who held the counterterrorism post from 1986 to 1989.

In the absence of more decisive Western action, Col. Gadhafi shows signs of reverting to his old ways. In December, a leading Libyan dissident and U.S. resident, Mansour el Kikhia, was kidnapped from a hotel room in Cairo. Some U.S. national security officials worry that his disappearance could signal a return of Col. Gadhafi's 1970s campaign to wipe out opponents.

Still, the U.S. continues to shy away from aggressive action. Following the ceremony in Arlington, Susan and Daniel Coben, whose daughter, Theodora, was killed on Pan Am 103, wrote a scathing letter to the White House. They said: "After five years, we will have a tombstone for the kids, a place to come and cry every year. Is that the best the most powerful nation on Earth can do?"

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